

**MINUTES FOR THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE District**

**April 25, 2007**

DIVISION ONE

B195194      People      (Not for Publication)  
v.  
Darryl Lamont Silas

The judgment is affirmed.

Mallano, Acting P.J.

We concur: Rothschild, J.  
Jackson, J. (Assigned)

B189046      People      (Not for Publication)  
v.  
Ana Maria Raymond

The judgment is affirmed.

Mallano, Acting P.J.

We concur: Rothschild, J.  
Jackson, J. (Assigned)

April 25, 2007 (Continued)

## DIVISION ONE (continued)

B191967 People (Not for Publication)

V.

Jamar Cornell Nunally

The judgment is affirmed.

Mallano, J.

We concur: Spencer, P.J.

Rothschild, J.

B192827 Law Offices of Roger C. Hsu (Not for Publication)

V.

Chian et al.

The judgment and post-judgment order are affirmed. Respondents are entitled to their costs of appeal.

Vogel (Miriam A.), J.

We concur:   Mallano, Acting P.J.

Rothschild, J.

B188535 People (Not for Publication)

V.

Bowles

The judgment is affirmed.

Mallano, Acting P.J.

We concur: Vogel (Miriam A.), J.

Jackson, J. (Assigned)

April 25, 2007 (Continued)

## DIVISION ONE (continued)

[illegible]

The judgment is modified to reduce the term on count 1 (attempted murder) to 29 years to life in prison and to stay imposition of sentence on count 3 (burglary) pursuant to Penal Code section 654. As modified, the judgment is affirmed. The trial court is directed to send a corrected abstract of judgment to the Department of Corrections.

Mallano, Acting P.J.

We concur: Rothschild, J.  
Jackson, J. (Assigned)

B194543      Los Angeles County, D.C.S.      (Not for Publication)  
v.  
Guadalupe A.

The order is affirmed.

Vogel (Miriam A.), J.

We concur:   Mallano, Acting P.J.  
                      Rothschild, J.

B192315 People (Not for Publication)  
v.  
Mendez

The judgment is affirmed.

Jackson, J. (Assigned)

I concur: Vogel (Miriam A.), J.  
I dissent: Mallano, Acting P.J. (Opinion)

April 25, 2007 (Continued)

## DIVISION ONE (continued)

B185190      Helen L. Quan et al.  
v.  
Sheen Gray et al.

Filed order granting petition for rehearing.

B182090 Norwest Mortgage, Inc.  
B183975 v  
Canyon View Estates, et al.

Filed order modifying opinion. Defendant's petition for rehearing is denied. (No change in the judgment)

DIVISION TWO

B192514 People (Not for Publication)  
v.  
Micah T.

The Court:

The order of May 16, 2006, is affirmed.

Boren, P.J., Ashmann-Gerst, J., Chavez, J.

B192284      Los Angeles County, D.C.S.      (Not for Publication)  
v.  
Peggy M.

The juvenile court's order is affirmed.

Ashmann-Gerst, J.

We concur:   Boren, P.J.  
                      Doi Todd, J.

April 25, 2007 (Continued)

## DIVISION TWO (continued)

B191143      Eiseman      (Not for Publication)  
v.  
Power Toyota Irvine et al.

The order and judgment of the trial court are reversed. We deem the trial court to have granted summary adjudication of the fourth (fraud) cause of action, and affirm the ruling in that respect. In all other respects, the matter is remanded with directions to grant appellants' request for a continuance. The parties to bear their own costs on appeal.

Ashmann-Gerst, J.

We concur: Doi Todd, Acting P.J.  
Chavez, J.

B186670      Forrest      (Certified for Publication)  
v.  
State of California, Dept of Corrections

The order of dismissal of the trial court is affirmed. Respondents are entitled to costs on appeal.

Doi Todd, J.

I concur: Boren, P.J.  
I dissent: Ashmann-Gerst, J. (Opinion)

B196913      Tilton  
v.  
Smith

Filed order denying petition for rehearing.

April 25, 2007 (Continued)

DIVISION THREE

B188991      Castillo, et al.      (Certified for Publication)

v.

Pacheco, et al.

The order denying the special motion to strike is affirmed. Respondents shall recover their costs on appeal.

Klein, P.J.

We concur:    Croskey, J.  
                      Kitching, J.

DIVISION FOUR

B187176      People      (Not for Publication)

v.

Rivera

The conviction for assault in count 2 is reversed and the trial court is directed to correct the abstract of judgment on that count. The judgment is otherwise affirmed.

Epstein, P.J.

We concur:    Willhite, J.  
                      Manella, J.

## DIVISION SIX

B187596 People (Not for Publication)  
v.  
Damaso

The judgment is affirmed.

Gilbert, P.J.

We concur: Yegan, J.  
Perren, J.

B188959      Quero      (Not for Publication)  
v.  
Quero  
(Estate of Quero)

The orders of the trial court granting a new trial to Rosalinda and Edgar and awarding attorney fees to Glasco are affirmed. The order granting a new trial to Shea is reversed and remanded for entry of a new order granting Shea's motion for judgment notwithstanding the verdict. The request for sanctions is denied. Each party shall bear his or her own costs on appeal.

Perren, J.

We concur: Gilbert, P.J.  
Coffee, J.

## DIVISION SEVEN

B185735      People      (Certified for Partial Publication)  
v.  
Diaz

The convictions are affirmed. The judgment is modified to impose the middle term of six years on counts 10, 13, 14. The clerk of the superior court is ordered to prepare a new abstract of judgment reflecting the imposition of six-year terms on counts 10, 13, and 14. In preparing the abstract of judgment, the clerk should ensure that the sentences for counts 13 and 14 reflect that the six-year midterm sentences are full terms to be served consecutively, not consecutive sentences of 1/3 middle term as they were previously and incorrectly designated. The clerk of the superior court shall forward a copy of the new abstract of judgment to the Department of Corrections.

Zelon, J.

I concur: Johnson, J.  
I dissent: Perluss, P.J. (opinion)

B186946      Laurenti      (Not for Publication)  
v.  
Laurenti

The August 23, 2005 order requiring Appellant to pay all fees and costs billed by Dr. Shirin is reversed, and the cause is remanded for the trial court to hold a hearing to determine a reasonable compensation for Dr. Shirin's services, if any, and the proper allocation of those fees and costs among the parties. In all other respects, the August 23, 2005 order is affirmed. The appeal from the October 18, 2005 order denying Appellant's motion to vacate the orders concerning payment of Dr. Shirin's fees and costs is dismissed as moot. Appellant is entitled to recover her costs on appeal.

Johnson, Acting P.J.

We concur: Woods, J.  
Zelon, J.



DIVISION SEVEN (continued)

B192733      Los Angeles County, D.C.S.      (Not for Publication)  
v.  
L.J.  
In re L.B., a Minor

The order terminating L.J.'s parental rights and identifying adoption as the permanent plan is reversed and the matter remanded for further proceedings consistent with the views expressed in this opinion. The juvenile court is directed to assign this case to a different judicial officer.

Johnson, Acting P.J.

We concur:    Woods, J.  
                  Zelon, J.

B190211      People      (Not for Publication)  
v.  
Ghoghas

The order requiring appellant to pay attorney fees in the amount of \$6,856.45 pursuant to section 987.8 and investigative costs of \$7,34.36 is vacated and the cause is remanded to the trial court for further consideration consistent with the requirements of section 987.8. The judgment is affirmed in all other respects.

Johnson, J.

I concur:      Perluss, P.J.  
I dissent:      Woods, J. (opinion)

DIVISION SEVEN (continued)

B177049      People v. Rene L.,                      (Not for Publication)  
B183689      In re Rene L. on Habeas Corpus

The order sustaining the Welfare and Institutions Code section 602 petition is affirmed. The petition, supplemental petition and second supplemental petition for writ of habeas corpus are denied.

Johnson, J.

We concur:   Perluss, P.J.  
                    Zelon, J.

B190018      People                                      (Not for Publication)  
                    v.  
                    Johnny C.

The matter is remanded for the juvenile court to recalculate Johnny C.'s award of predisposition credits. The court shall also make the appropriate corrections to its calculations under Welfare and Institutions Code section 726, subdivision (c) in light of this opinion. In all other respects the order under review is affirmed. A corrected commitment order shall be forwarded to CYA (the Division of Juvenile Justice).

Johnson, J.

We concur:   Perluss, P.J.  
                    Woods, J.

April 25, 2007 (Continued)

DIVISION SEVEN (continued)

B192436      Los Angeles County, D.C.S.      (Not for Publication)  
                 v.  
                 A.S.M.

The judgment is affirmed.

Johnson, Acting P.J.

We concur:    Woods, J.  
                      Zelon, J.

DIVISION EIGHT

B186713      Romi's Express et al.,  
                 v.  
                 Rosalba Gil et al.,

Filed order denying petition for rehearing. Justice Flier would grant the petition for reasons set forth in dissent.